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*Attorneys for Hewlett Packard, Inc. and
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL RICHARD LYNCH and
STEPHEN KEITH CHAMBERLAIN,

Defendants.

Case No. 3:18-cr-577-CRB

DECLARATION OF SUSAN D. RESLEY IN
SUPPORT OF MOTION TO QUASH
SUBPOENA ISSUED TO NON-PARTIES
HEWLETT PACKARD, INC. AND
HEWLETT PACKARD ENTERPRISE

Date: April 8, 2024

Time: 4 p.m.

Place: Courtroom 6, 17th Floor

Judge: Hon. Charles R. Breyer

Date Filed: March 25, 2024

Trial Date: March 18, 2024

I, Susan D. Resley, declare:

1. I am a partner at Morgan, Lewis & Bockius LLP, attorneys of record for non-

FILED
MAR 25 2024
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

1 parties Hewlett Packard, Inc. and Hewlett Packard Enterprise (collectively "HP"). I am licensed
 2 to practice before all courts in the State of California and am admitted to practice before this
 3 Court. I am one of the attorneys who has been representing HP in connection with the
 4 Government's investigation into Autonomy's accounting and disclosure practices. I have
 5 personal knowledge of the following facts and, if called upon to do so, could and would testify
 6 thereto.

7 2. On March 5, 2024, counsel for Defendant Michael Richard Lynch ("Dr. Lynch")
 8 served on HP a Rule 17 Subpoena (the "Lynch Subpoena"). Attached hereto as **Exhibit 1** is a true
 9 and correct copy of the Lynch Subpoena.

10 3. HP has produced over one million pages of documents to the Department of
 11 Justice and the Securities and Exchange Commission over the course of their investigation
 12 concerning Autonomy, including nearly 16,000 pages supporting Christopher Yelland's summary
 13 charts and Autonomy's restatement. The Government has produced these 16,000 pages to Dr.
 14 Lynch, and we have provided Dr. Lynch's counsel with the Bates numbers of those documents.

15 4. On March 11, 2024, I participated in a meet-and-confer session with Dr. Lynch's
 16 counsel, Brian Heberlig of Steptoe LLP and Celeste Koeleveld of Clifford Chance LLP, in an
 17 effort to resolve disputes about the Lynch Subpoena before presentation to this Court. Dr.
 18 Lynch's counsel declined to modify, narrow, or withdraw the subpoena.

19 I declare under penalty of perjury under the laws of the United States of America that the
 20 foregoing is true and correct. Executed on this 25th day of March, 2024, at San Francisco,
 21 California.

22 Dated: March 25, 2024

23
 24
 25 By: _____

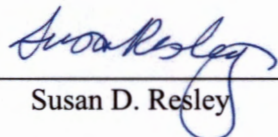

 Susan D. Resley

EXHIBIT 1
TO DECLARATION OF SUSAN D. RESLEY
IN SUPPORT OF MOTION TO QUASH
SUBPOENA ISSUED TO NON-PARTY
HEWLETT-PACKARD COMPANY

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUBPOENA TO PRODUCE
DOCUMENTS OR OBJECTS
IN A CRIMINAL CASE

Case No.: 3:18-cr-577-CRB

Michael Richard Lynch,
Stephen Keith Chamberlain,

Defendant(s).

TO: Hewlett Packard, Inc. and Hewlett Packard Enterprise (collectively "HP")

YOU ARE COMMANDED to produce at the place, date, and time specified the document(s) or object(s) indicated below. If compliance would be unreasonable or oppressive, you may file a motion requesting the court to quash or modify the subpoena, to review the documents in camera, or to permit production only pursuant to a protective order.

PLACE				COURTROOM/JUDGE
<input checked="" type="checkbox"/> U.S. Courthouse	<input type="checkbox"/> U.S. Courthouse	<input type="checkbox"/> U.S. Courthouse	<input type="checkbox"/> U.S. Courthouse	6 / Breyer
450 Golden Gate Ave.	280 South First St.	3140 Boeing Ave.	1301 Clay Street	DATE AND TIME
San Francisco, CA 94102	San Jose, CA 95113	McKinleyville, CA 95519	Oakland, CA 94612	3/18/2024 9:00 AM

If the document(s) or object(s) are produced in advance of the date specified, either to the court in an envelope delivered to the clerk's office or to the issuing attorney whose name and address appears below, no appearance is necessary.

The following document(s) or object(s) shall be produced:
See Attachment A

NOTE: Subpoena forms requiring the appearance of a witness to testify at a criminal proceeding or to testify and bring documents to a criminal proceeding, must use Form CAND 89A, *Subpoena to Testify in a Criminal Case* or for the production of state law enforcement personnel or complaint records (CAND 89C, *Subpoena to Produce State Law Enforcement Personnel Or Complaint Records in a Criminal Case*) are available at the Court's website: cand.uscourts.gov.

U.S. MAGISTRATE JUDGE OR CLERK OF COURT Click here to enter text.	DATE Click here to enter a date.
(By) Deputy Clerk Click here to enter text.	

ATTORNEY'S NAME, ADDRESS AND PHONE NUMBER:
Click here to enter text.

CAND 89B (Rev. 6/17) Subpoena to Produce Documents or Objects in a Criminal Case

PROOF OF SERVICE		
RECEIVED BY SERVER	DATE Click here to enter a date.	PLACE Click here to enter text.
SERVED	DATE Click here to enter a date.	PLACE Click here to enter a date.
SERVED ON (PRINT NAME) Click here to enter text.		FEES AND MILEAGE TENDERED TO WITNESS <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$ Enter amount
SERVED BY (PRINT NAME) Click here to enter text.		TITLE Click here to enter text.
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.</p> <p>Executed on _____ DATE</p> <p>SIGNATURE OF SERVER _____ ADDRESS: Enter info</p>		
<p>ADDITIONAL INFORMATION Click here to enter text.</p>		

Attachment A

All records and communications between October 1, 2011 and January 31, 2014 relating to the bases for the restatement of Autonomy Systems Limited's ("ASL") 2010 accounts and the filing of ASL's 2011 accounts (collectively, the "ASL Restatement"), including:

- A. Christopher Yelland's communications with representatives of PricewaterhouseCoopers LLP ("PwC"), Morgan, Lewis and Bockius LLP ("Morgan Lewis"), Ernst & Young ("EY"), Deloitte, and/or HP's in-house legal department regarding the ASL Restatement and/or the internal investigation by Morgan Lewis and PwC;
- B. Antonia Anderson's communications with representatives of PwC, Morgan Lewis, EY, Deloitte and/or HP's in-house legal department regarding the ASL Restatement and/or the internal investigation by Morgan Lewis and PwC;
- C. Documents and communications generated or received by HP, its affiliates, and its advisors and consultants, such as work product, memoranda, supporting schedules, internal communications between Yelland, Anderson and/or others, or similar documents, explaining the bases for restating each of the transactions at issue in the ASL Restatement.

For the avoidance of doubt, this subpoena seeks all documents in the above categories in unredacted form. Where redacted versions of the documents have previously been produced, or documents have previously been withheld from production, to the United States Department of Justice or the Securities and Exchange Commission based on assertions of the attorney-client privilege, the attorney work product doctrine, or any other similar privilege, we are seeking unredacted versions of all responsive documents. We have attached a representative example of responsive documents previously produced in redacted form that should be produced unredacted.